

09/095,565

Support for new claims 17 and 18 is found in the specification at, for example, page 70, line 25; page 72, lines 25-26; and page 77, line 8. Applicant submits that the subject matter of new claims 17 and 18 thus does not constitute new matter.

Formal Matters and Conclusion

Applicant respectfully requests entry of the preliminary amendment. Examiner is respectfully requested to examine and pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Please charge any underpayment or credit any overpayment of fees to attorney's deposit account #50-2041.

Respectfully submitted,



Ruth E. Tyler-Cross

Reg. No. 45,922



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PATENT TRADEMARK OFFICE

703-787-9400

MARKED UP COPY OF AMENDED CLAIMS

6. (Once amended) A method of inhibiting repair of breaks in double-stranded DNA in a cell which comprises introducing into the cell the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA.

7. (Once amended) A method of preventing cancer in a subject which comprises introducing into a cell of the subject the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA.

8. (Once amended) A method of treating cancer in a subject which comprises introducing into a cancer cell of the subject the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA.

9. (Once amended) A method of preventing concatamerization of a linear wild-type adenoviral DNA which comprises introducing into a cell comprising the wild-type adenoviral DNA, the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA.

10. (Once amended) A method of inhibiting V(D)J recombination of nucleic acid sequences encoding immunoglobulins in a cell of the immune system which comprises introducing into the cell, the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA.

11. (Once amended) A method of preventing cell apoptosis induced by viral DNA replication in the cell which comprises introducing into the cell, the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA.

09/095,565

12. (Once amended) A method of increasing efficiency of chemotherapeutic or radiation treatment of cancer in a subject which comprises: a) introducing into cancer cells of the subject the [adenovirus of claim 1] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA and b) administering a chemotherapeutic agent or radiation to the subject.

13. (Once amended) The method of claim 12, wherein the [adenovirus] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA is introduced into the cancer cells before the chemotherapeutic agent or radiation is administered to the subject.

14. (Once amended) The method of claim 12, wherein the [adenovirus] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA is introduced into the cancer cells after the chemotherapeutic agent or radiation is administered to the subject.

15. (Once amended) The method of claim 12, wherein the [adenovirus] gene product of the early region 4 (E4) open reading frame 6 (ORF-6) of genomic adenoviral DNA is introduced into the cancer cells concurrently with administering the chemotherapeutic agent or radiation to the subject.